

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Brock Fredin,

Case No. 20-CV-1929 (SRN/HB)

Plaintiff,

v.

ORDER

Jamie Kreil,

Defendant.

Plaintiff Brock Fredin requests *in forma pauperis* (“IFP”) status on appeal. *See* Doc. No. 43. Fredin’s IFP application and accompanying materials do not include information about his current income, but from the evidence available elsewhere to the Court, that current income appears to be substantial. *See* Fredin Decl. ¶ 6 [Doc. No. 45] (stating that Fredin made “[m]ost of” the \$26,000 earned in 2019 during the months of November and December); *Fredin v. Miller*, No. 18-CV-0466, Breyer Decl. Ex. A at 5-6 [Doc. No. 141-1] (deposition testimony that Fredin gained employment in November 2019 with an annual salary of \$160,000). Moreover, although he also has substantial liabilities, Fredin has not provided evidence that payment of the appellate filing fee in this matter would leave him unable to meet those liabilities or cause him to forego basic necessities. *See, e.g., Ayers v. Texas Dep’t of Criminal Justice*, 70 F.3d 1268 (5th Cir. 1995) (per curiam) (“The central question is whether the movant can afford the costs of proceeding without undue hardship or deprivation of the necessities of life.”). By all

indications, Fredin can afford to pay the appellate filing fee without undue hardship; he is therefore required to do so. The IFP application is denied.

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED that the application to proceed *in forma pauperis* on appeal of plaintiff Brock Fredin [Doc. No. 43] is DENIED.

Dated: December 3, 2020

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge